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December 20, 2017

Via ECF/CM

The Honorable Edgardo Ramos
United States District Court
for the Southern District of New York
40 Foley Square
New York, NY 10007

Re: *United States v. El Gammal*, 15-cr-588 (S.D.N.Y.) (ER)

Dear Judge Ramos:

I, along with Donald Duboulay, represent Mr. Ahmed El Gammal, having been appointed following his conviction at trial in January of this year. We write to make one point of clarification regarding the letter submitted by the government yesterday, regarding post-trial motions and a sentencing schedule.

It is correct that the parties jointly requested a pre-sentence investigation and a sentencing schedule. To the extent, however, that the December 19, 2017 letter could be construed to suggest that by not filing any written post-trial motions the defense has somehow waived a sufficiency challenge for appellate purposes, we wish simply to note that at trial defense counsel made a motion for a judgment of acquittal pursuant to Fed. R. Crim. P. 29 on each count at the close of the government's case and again at the close of all evidence. *See* Trial Transcript, pp. 1343, 1754, attached hereto. This Court denied those motions. *See id.* The defense is not filing further written motions but has preserved any argument regarding sufficiency of the evidence on each count of conviction for appellate purposes. Though we do not believe the government meant to suggest the defense had done otherwise, we write simply to clarify that point.

Respectfully submitted,

/s/ Megan W. Benett

Enclosure

cc: All counsel of record via ECF/CM

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